



AMARILLO POLICE DEPARTMENT

April 16, 2018

MuckRock News
Attn: Vanessa Nason
Dept MR 51466
411 A Highland Ave
Somerville, Maryland 02144-2516

RE: Public Information Request #2018-711

Dear Ms. Nason,

This letter is in response to your public information request to the Amarillo Police Department, received in our office on 3/17/2018. You requested documents related to the following: the following records -

Any and all statistics, data, reports, audits, policies and procedures pertaining to the following items regarding sexual assault evidence collection {SAEC} kits {also known as "rape kits"} and processing.

- 1-all standard operating procedures regarding the SAEC process
- 2-any written policies or procedures regarding department practices on the acquisition of or handling of rape kit evidence, including protocols for its collection, testing and delegation and transfer to all other possibly relevant locations, laboratories, or agencies
- 3-the number of kits collected and booked into evidence from the period of January 1, 2000 through the date this request is processed
- 4-the number of kits that have been processed by a public or private crime or forensic laboratory or equivalent processing location for the period of January 1, 2000 through the date this request is processed
- 5-the number of unprocessed kits in any storage facilities currently under the department's jurisdiction and control, including those held by medical personnel or at external laboratory locations
- 6-any materials regarding the status or ultimate disposition of cases in which a kit was collected. Please include all available segregable data
- 7-all audits involving this agency regarding the collection or backlog of SAEC kits
- 8-all proposed alterations or yet-to-be implemented changes to the policies and procedures regarding the collection, testing, and use of SAEC kits.

869 SANE kits were sent to lab between 2000 and current.

The Service Division has reviewed your request, and we have located documents responsive to your request. I have enclosed a copy of the documents you requested. The documents are provided in accordance with Chapter 552 of the Texas Gov't. Code (Public Information Act).



AMARILLO POLICE DEPARTMENT



If you have any questions or wish to discuss this further, you may contact me at (806) 378-3579.

Sincerely,

Derenda Rush
Amarillo Police Department
Service Division

Ed Drain
Chief of Police

Enclosure

Macleod, Shelby 330-18

18-711

From: 51466-62119879@requests.muckrock.com
Sent: Saturday, March 17, 2018 11:20 AM
To: @APD Records Request
Subject: Texas Public Information Act Request: local level SAEC policies/data (Amarillo Police Department)

Amarillo Police Department
Texas Public Information Act Office
200 Southeast 3rd Avenue
Amarillo, TX 79101

March 17, 2018

To Whom It May Concern:

Pursuant to the Texas Public Information Act, I hereby request the following records:

Any and all statistics, data, reports, audits, policies, and procedures pertaining to the following items regarding sexual assault evidence collection (SAEC) kits (also known as "rape kits") and processing:

- all standard operating procedures regarding the SAEC process
- any written policies or procedures regarding department practices on the acquisition of or handling of rape kit evidence, including protocols for its collection, testing, and delegation and transfer to all other possibly relevant locations, laboratories, or agencies
- the number of kits collected and booked into evidence from the period of January 1, 2000 through the date this request is processed
- the number of kits that have been processed by a public or private crime or forensic laboratory or equivalent processing location from the period of January 1, 2000 through the date this request is processed
- the number of unprocessed kits in any storage facilities currently under the department's jurisdiction and control, including those held by medical personnel or at external laboratory locations
- any materials regarding the status or ultimate disposition of cases in which a kit was collected. Please include all available segregable data.
- all audits involving this agency regarding the collection or backlog of SAEC kits
- all proposed alterations or yet-to-be-implemented changes to the policies and procedures regarding the collection, testing, and use of SAEC kits

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

Sincerely,

Vanessa Nason

Filed via MuckRock.com

E-mail (Preferred): 51466-62119879@requests.muckrock.com

Upload documents directly: https://www.muckrock.com/accounts/agency_login/amarillo-police-department-8952/local-level-saec-policiesdata-amarillo-police-department-51466/?email=apdrecords%40amarillo.gov&uuid-login=87cca999-4d3e-4cc5-accb-2c052e65fc13#agency-reply

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 51466

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request was filed by a MuckRock staff reporter. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



AMARILLO POLICE DEPARTMENT

Manual: DETECTIVE DIVISION OPERATIONS
Reference: SECTION 2.071
Subject: Requesting Laboratory Examinations

Effective Date: December 15, 2012
Revision Number: 2 Date: 05-15-15
Page 1

- I. The detective or investigator in charge of investigating a case will be responsible for contacting the Crime Scene Investigation Unit to advise them what evidence is to be sent to the laboratory and the type of examination or comparison requested.
- II. **Any case in which ballistic evidence such as firearms, cartridge casings and expended bullets or projectiles is collected in a criminal investigation, these items will be sent to a Texas DPS Lab for analysis and entry into the NIBIN database.**
 - A. **The requesting detective or investigator will send a link through ILeads to the CSIU and a brief synopsis of the case will be submitted with this request.**
- III. Any case in which a Sexual Offense Evidence Collection Kit has been taken will be sent for forensic examination for the presence of DNA within thirty (30) days of receiving the kit.
- IV. The requesting detective or investigator will send a link through ILeads. A brief synopsis of the case will be submitted with this request.
- V. Unless specifically requested, evidence will be sent to the Texas DPS laboratory. If another laboratory is requested, the submitting detective or investigator will complete and provide that laboratory's submission form.
- VI. There are other laboratories available at a cost. Prior to submitting a link to those types of laboratories, the submitting detective or investigator will seek the funding from the appropriate source. Once funding has been approved, a link can then be sent with the appropriate information required.

Captain **Tam Boatler**, Detective Division

AMARILLO POLICE DEPARTMENT

Manual: RULES AND REGULATIONS

Effective Date: November 1, 1987

Reference: PROCEDURES 2.01

Revision Number: 19 Date: 02-29-16

Subject: Cases, Classifications, and Supervisor Reviews

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- I. Incident classifications are to be listed in the "Offense Screen". Descriptions of those offenses meeting the criteria of the listed classification and the minimum required Modus Operandi (M.O.) related fields follow each classification. The classifications are as follows:

A. Part I Offenses:

1. **Homicide:** This includes murder and negligent manslaughter, and justifiable homicide. No other offense can be included in the incident. A separate report must be made. Required M.O. related fields include: victim, weapon code, criminal (gang) activity, victim type, Victim Offender Relationship (VOR), related offense to victim, and aggravated assault circumstance.
2. **Rape:** (Vaginal penetration by the penis ONLY – this can be female against male or male against female). This includes forcible rape and attempts to rape. Sexual assaults with an object, sodomy, and fondling will not be classified as rape. There must be a suspect listed in the name screen, even if the suspect is unknown. Officers should follow the set guidelines pertaining to listing an "unknown" suspect in the name screen. Required M.O. related fields include: weapon code, criminal (gang) activity, victim type, injury type, VOR, and related offense to victim.
3. **Robbery:** These include all robberies and attempts to rob by force or threat of force. This will include shoplifting where property is taken by force – assault on employee/security guard when confronting the suspect(s). Required M.O. related fields include: weapon code, criminal (gang) activity, victim type, injury type, VOR, and related offense to victim. If a business is robbed then there must be at least 2 victims – the business and the clerk/individual.
4. **Aggravated Assault:** (Aggravated assaults are always committed, never attempted). An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury and may include resisting arrest if a deadly weapon was used by the suspect or a severe injury was inflicted upon the officer. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. The severity of an injury to a victim in these types of assaults is the primary factor in determining whether assault is aggravated or simple. If the victim has sustained broken bones, internal injuries, loss of consciousness, loss of teeth, or receives a severe laceration requiring stitches/staples, the assault will be classified as an aggravated assault. Required M.O. related fields include: weapon code, criminal (gang) activity, victim type, injury type, VOR, related offense to victim, and aggravated assault circumstance.
 - a) These include assault with intent to kill, with a deadly weapon, by shooting, cutting, stabbing, maiming, poisoning, burning, scalding, acids or other weapons. Also committed under circumstances not amounting to intent to murder or maim.

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- b) Count here all assaults where a firearm of any type is used or its use is threatened. Includes assaults with a revolver, automatic pistols, shotguns, rifles, zip guns, etc. This also includes assaults where a weapon such as a knife, razor, hatchet, ax, cleaver, scissors, glass, broken bottle, or ice pick is used as a cutting or stabbing object.
 - c) This also includes assaults with other dangerous weapons, which does or could result in serious injury. The weapons in this category would include, but is not limited to the use of a club, brick, jack handle, tire iron, bottle, or other blunt instrument used to club or beat the victim. Also in this category are attacks by explosives, acid, lye, poison, scalding water, incendiary device, etc. Assaults with any other weapon including personal weapons such as hands, feet, fists, etc., which result in serious or aggravated injury will be classified Aggravated Assault.
- 5. **Burglary:** This includes all unlawful entry into a structure that can be secured (has 4 walls, door, roof, and floor), to commit a felony or theft, regardless of whether it is day or nighttime or a commercial or residential structure. Unlawful entry without force is sufficient for burglary (open garage door). This also includes any attempts to commit burglary. Burglaries of hotel, motel, and or storage units available for rent where payment is received are counted as one offense, regardless of the number of rooms entered and the number of premises burglarized must be entered on the offense screen. Required M.O. related fields include: forced entry (yes or no), victim type, and related offense to victim.
 - 6. **Larceny Theft:** This includes any other type of theft or attempted theft of property except stolen motorized vehicles. This also includes burglary of a vehicle, theft of trailers without a motor, theft from yard – with or without an enclosed fence, burglary of coin-operated machines if they are not enclosed in a structure, and theft from self-service gas pumps. Specify at the time of classifying the report if the incident is a shoplifting, burglary of a vehicle – loose items, or burglary of a vehicle – parts and accessories. Vehicles damaged in the commission of the theft would not be listed as an offense unless there was intent to damage the vehicle; otherwise damage can occur when the actual intent is theft and should only be noted in the details. Required M.O. related fields include: victim type and related offense to victim.
 - 7. **Stolen Vehicle:** This is defined as a motorized vehicle used as a mode of transportation that travels on land and includes any attempts to steal a motor vehicle. Motor vehicles include automobiles, trucks, buses, motorcycles, motor scooters, snowmobiles, go carts, ATV's, golf carts, dune buggies. Do not include farm equipment, bulldozers, airplanes, construction equipment, motorboats, or trailers. These will be classified as "Larceny Thefts".

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Vehicles that are taken on a test drive with permission would not be classified as a stolen vehicle; they would be classified under Fraud/Embezzlement. Required M.O. include related fields include: victim type and related offense to victim.

8. **Arson:** Any willful or malicious burning or attempt to burn with or without intent to defraud the property of another. Do not classify as Arson unless instructed by the Fire Marshall. Required M.O. fields include: victim type, related offense to victim.

B. Part II Offenses:

1. **Simple Assault:** Simple assaults are always committed, never attempted and include all assaults that are not of an aggravated nature. They will include resisting arrest depending on injuries or weapons which could then become an aggravated assault. If the offense is resisting arrest then the victim will be the officer (not APD), and the victim type will be "P" for police. Required M.O. related fields include: weapon code, criminal (gang) activity, victim type, injury type, VOR, and related offense to victim.
2. **Forgery and Counterfeiting:** These include money, checks, and documents. The original checks/documents are not required to be in hand to have this kind of offense, but a forged/counterfeit screen must be entered on the property screen. The value of the counterfeit money will be what it is represented as; (e.g., \$10 bill will have a value of \$10). Required M.O. related fields include: criminal activity, victim type, and related offense to victim.
3. **Embezzlement and Fraud:** These include theft of service, confidence games, rental agreements, employer/employee embezzlement, and vehicles taken on a test drive with permission and not returned. Required M.O. related fields include: victim type and related offense to victim.
4. **Vandalism:** All criminal mischief incidents with intentional damage. If a vehicle is damaged, the vehicle screen will need to be filled in with the plate #, year, make, model, VIN, and damaged value (not the vehicle value). The damaged vehicle part(s) will NOT be listed on the property screen, only the vehicle screen will be entered. Required M.O. related fields include: victim type and related offense to victim.
5. **Weapons:** All violations regarding carrying, using, possessing, furnishing, selling, and manufacturing of deadly weapons or silencers. The carrying of deadly weapons (concealed or openly), and all attempts to commit any of these offenses are included. Required M.O. related fields include: weapon code, criminal activity, victim type, and related offense to victim.
6. **Prostitution:** All commercialized vice offenses such as prostitution, procuring, transporting, or detaining persons for immoral purposes. All

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attempts to commit any of these offenses are included. Required M.O. related fields include: victim type and related offense to victim.

7. **Sex Offenses:** These include all sex offenses except forcible rape and prostitution. This includes indecent exposure where gratification is intended, abnormal sex relations, indecent liberties, sodomy, forcible fondling, penetration of a sexual organ with an object, and all other sex offenses. Required M.O. related fields include: weapon code, criminal (gang) activity, victim type, injury code, VOR, and related offense to victim.
8. **Drug/Drug Paraphernalia (Illegal drugs only):** All offenses including possessing, using and manufacturing, growing, or making of any narcotic, drug, controlled substance, or marijuana. Any drug or drug paraphernalia that is illegal for anyone to possess will be seized, NOT evidence. Require M.O. related fields include: criminal activity, victim type and related offense to victim.
9. **Gambling:** This includes bookmaking, numbers, and any other gambling offense. Required M.O. related fields include: victim type and related offense to victim.
10. **Family Offenses (non-assaultive):** These include offenses of non-support, leaving child unattended, or abandon/endangerment. These do not include physical abuse of a child or physical discipline of a child. The incident would then be classified as an assaultive offense. Required M.O. related fields include: victim type and related offense to victim.
11. **Driving Under the Influence:** These include driving or operating a motor vehicle, engine, train, boat, etc., while intoxicated. Required M.O. related fields include: victim type and related offense to victim.
12. **Liquor Law Violation:** All liquor law related offenses, and any attempt, with the exception of public intoxication and driving under the influence. Required M.O. related fields include: victim type and related offense to victim.
13. **Public Intoxication:** These include all offenses of drunkenness or public intoxication except liquor law related offenses and driving under the influence. Required M.O. related fields include: victim type and related offense to victim.
14. **Disorderly Conduct:** These include harassment over the phone, committing a breach of the peace, affray, profane and abusive language, unlawful assemblies, contempt of court, desecration of the flag, and refusal to assist a police officer. Required M.O. related fields include: victim type and related offense to victim.
15. **Traffic:** These include all on view traffic violations except parking

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violations. All traffic warrants are classified as Warrants. Required M.O. related fields include: victim type and related offense to victim.

16. **Parking Violations:** These include overtime and other illegal parking except junk vehicle or abandoned vehicles. Required M.O. related fields include: victim type and related offense to victim.
17. **For Information Purposes Only:** These include suspicions and incidents where there are no offenses to report.
18. **Kidnapping:** Required M.O. related fields include: weapon code, criminal (gang) activity, victim type, injury code, VOR, related offense to victim.
19. **Runaway:** These include anyone 16 years of age and under.
20. **Trespass:** Required M.O. related fields include: victim type and related offense to victim.
21. **Lost:** Animals, vehicles, or property. All that is required is a lost/ found form be filled out and turned in at the front desk.
22. **Found:** Animals, vehicles, or property. All that is required is a lost/ found form be filled out and turned in at the front desk.
23. **Accident:** Traffic accidents whether on roadway, off roadway, or non-collision. Required M.O. related fields include: victim type and related offense to victim.
24. **Public Accidents:** These are any other types of accident including drowning, falls, burns, accidental fires, and explosions whether public, home, occupational, or firearms related. These do not include suicide or suicide attempts with a firearm. Required M.O. related fields include: victim type and related offense to victim.
25. **Suicide:** These are all cases of deaths resulting from self-inflicted means, regardless of the method used. This also includes all injuries or illness resulting from self-inflicted means and threats or attempts of suicide. Required M.O. related fields include: victim type and related offense to victim.
26. **Death:** These include all cases of death by unknown or sudden causes or bodies found that are not classified as homicide, suicide, or some other accidental cause. Required M.O. related fields include: victim type and related offense to victim.
27. **Sick Cared For:** This is used in all cases of illness in which the police assist in caring for or removing the sick person. Required M.O. related fields include: victim type and related offense to victim.

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28. **Mental:** These include all cases reported or coming to the attention of the police, of persons mentally unbalanced, either permanently or temporarily, regardless of whether such persons are committed to an institution. Required M.O. related fields include: victim type and related offense to victim.
29. **Missing Person:** This includes all other attempts to locate a missing person. Required M.O. related fields include: victim type and related offense to victim.
30. **Curfew:** This includes all park curfews and the teen curfew. Required M.O. related fields include: victim type and related offense to victim.
31. **Tobacco:** These are offenses when a minor possesses, uses or sells tobacco or the sale of tobacco to a minor. Required M.O. related fields include: victim type and related offense to victim.
32. **Warrants:** Any arrest based strictly on warrants with no actual on view reason for arrest. Required M.O. related fields include: victim type and related offense to victim.
 - a) A P3 must be turned in or faxed every time someone is arrested or transported, no exceptions.
 - b) If a person is arrested on warrants from one of our original incidents then you will need to add a supplement and suspect/arrested person screen to the original report, do NOT make a new warrant report number. You will only make a new number if a report needs to be made for new offense(s) being reported.
 - c) When arresting someone for warrants that is listed as a victim in the report, a new incident number (U#) for the warrant portion of the report must be generated. This new number will allow you to list the wanted person as a suspect with an arrested screen. The Ileads software will not allow us to list the 'victim' that has warrants as a suspect and arrested person of the crime of which they are listed as a victim. If an offense(s) is being reported now and the victim is arrested for any kind of warrant then this will ALWAYS include two incident numbers (see examples below), whether it be an APD original incident number from a prior incident and the new incident number of the crime being reported now, or two new incident numbers (one for the crime being reported now and the one for the warrant arrest).

Examples (if the 'victim' is being arrested for warrants):

 - 1) If the warrant is for traffic offense(s) get a new incident number;
 - 2) If the warrant is from one of our original incidents add a

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supplement and suspect/arrested person screen to the original report; or

- 3) If the warrant is from outside our jurisdiction, get a new incident number.

II. When Incidents Require Reports:

A. A report IS required when under any of the following circumstances:

1. A complainant reports an offense.
2. The offense involves any type of assault or terroristic threat, whether or not the complainant wishes to file charges or make a report.
3. A suspect is arrested.
4. A vehicle is impounded.
5. Evidence or property is seized.
6. Additional investigation is required.
7. Issuance of a misdemeanor citation requires an incident number be made.

B. A report IS NOT required in most of the following circumstances:

1. Class C misdemeanor offense and complainant refuses to file charges, EXCEPT family violence and assault incidents.
2. Sick cared for, EXCEPT when officers provide medical assistance.
3. Public, home, and occupational accidents with less than life threatening injuries, and which do not involve a firearm, EXCEPT when officers provide medical assistance.
4. Purely civil cases.
5. Trespassing or prowler calls and the complainant refuses to file, or the suspects are unknown, and there are no leads.
6. Hot check cases – The complainant directly reports these to the County Attorney's Office.
7. Minor fires where arson is ruled out by the on scene fire officials.
8. Incidents in which the complainant is extremely intoxicated, EXCEPT felony incidents, domestic violence, or misdemeanor assault incidents, where further investigation would be jeopardized by the lack of a report and the destruction or loss of evidence present at the scene.

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C. Incident Formats and Requirements:

1. All incidents will be written in first person singular, past tense, and active voice.
2. All personnel, including supervisors, who are at the scene of an incident where a police report is made, will make a supplement to the report. This includes any supervisor who is contacted via telephone regarding some aspect of the incident and who offers direction of a materialistic nature regarding the outcome of the incident.
3. All persons, except law enforcement officers, vehicles, evidence, stolen property, and seized property mentioned in the narrative will be completely identified in the name, vehicle, and property screens of the incident, or as completely as possible.
4. **Officers must include any exculpatory or impeachment information in their incident reports that is learned regarding a suspect or witness during the course of an investigation whether they feel the information is relevant or not.**
5. Persons mentioned in the narrative will be referred to by their first name, last name, and date of birth the first time they are mentioned and by last name thereafter, unless additional identification is required to differentiate one person from another with the same first and last names.
6. Each vehicle, item of evidence, and property mentioned in the narrative will be referred to by the same description each time it is mentioned in the narrative. These items need only be described in the narrative to the degree, which they may be distinguished from other vehicles, items of evidence, and property listed in the narrative, and directly associated with that item's description in the indexing section of the report.
7. All incidents and supplements must be called in or typed in before the employee leaves work. However; should there be a malfunction with or lack of capacity of the Department's report recording system, or there are other exigent circumstances, the employee will contact a supervisor to allow for an exception to this rule and provide for the earliest dictation of reports.
 - a) In incidents where the Special Crimes Unit is the lead investigative unit, the Special Crimes Coordinator will determine when an in-depth interview and supplement will be obtained from the involved employee(s).

III. Calling in Reports:

- A. While calling in reports, employees will refrain from chewing tobacco, chewing gum, eating, or making distracting or offensive noises. If at all possible, turn down the

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police radio, so the transcriptionist will be able to hear the report, not radio traffic.

B. Priority incidents and supplements include:

1. Homicide, fatal or near fatal traffic accident, completed suicide;
2. Sexual assault;
3. Robbery;
4. Kidnapping;
5. Aggravated assault with serious bodily injury;
6. Hit and run with serious bodily injury;
7. Business burglaries or residential burglaries;
8. Vandalism or theft with an identifiable suspect(s);
9. Missing person (child or elderly/endangered);
10. Runaway and recovered runaway;
11. Any arrest, except misdemeanor citations;
12. Juveniles physically placed in the detention center;
13. Recovered stolen vehicle;
14. Other incidents or supplements the officer or a supervisor determines should be typed on a priority basis;
15. Upon the notification of a wanted subject being arrested, Detectives will call in a supplement canceling the wanted; and
16. Any report documenting booking of a disabled person's identification placards.

C. All other incidents and supplements will be called in as regular. The assigned investigator on an incident may determine the necessity for calling in investigative supplements as priority or regular.

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V. Lost/Found Property Reports:

- A. If an officer is dispatched to a found property call for service, the officer may use a lost/found property form to file the report by filling in the form and signing it.
- B. The form will be turned in at the front counter to be typed by a typist or report taker. Front counter personnel will then route the form to Service Division to be scanned into the incident.
- C. As well, lost property may also be reported by utilizing a lost/found form. An incident number will be issued for the form.

VI. Incident Report Review Process:

- A. In order to ensure that accurate, quality incidents are completed by the employees of the Department, the following incident review system will be followed:
 - 1. Employees will approve all of their reports in ILeads in a timely manner.
 - 2. Employees will check incident reports for any errors on the various screens and approve the report. Any factual, supporting, or substantive details that were omitted from the narrative or supplement of a report will only be addressed by calling or typing in a supplement to the original report/supplement.

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3. Minor spelling or punctuation errors, as well as areas of the report where the clerk typist inserts question marks, will be corrected in the original narrative or supplemental report by using all capital letters to show that a change was made. No additional supplement is required in these instances.
4. The shift supervisors will review the incident for accuracy, completeness, and that all necessary elements are included in the incident.
5. If the incident report is incorrect, incomplete, or has other flaws, the supervisor will reject the report and notify the employee of the corrections or changes needing to be made.
6. Employees will correct any errors on the various screens or by adding a supplement and approve the report again.
7. The supervisor will re-check the report and approve or reject the report accordingly.
8. If the assigned detective or civilian investigator finds errors in the report, they will notify the employee and/or the employee's supervisor requesting that corrections be made.

VII. Incidents and other Departmental Paper Records:

- A. Employees will be responsible for maintaining the working copies of their reports as well as final, printed copies in a secure manner; or, they will shred the reports.
- B. Supervisors finding unsecured or discarded copies of incidents, computer checks, or working copies of incidents should check the incident number on the form or use other means to identify who produced the incident. When the identification is made, the incident and details surrounding its discovery should be forwarded to the employee's supervisor for appropriate action.

Robert Taylor, Chief of Police

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Reference: Procedure 2.10

Revision Number: 30 Date: 05-30-16

Subject: Evidence, Property Booking, and Disposition

Page 1

I. General:

- A. All officers will wear disposable gloves when collecting evidence that may have DNA present.
- B. No property or evidence will be stored until the voucher describing each item has been completed and securely attached. Property and evidence will not be booked with the same voucher or combined in the same container or paper sack. Vouchers must be complete and accurate. Any vouchers not correctly completed, or evidence booked in incorrectly, will be rejected by the property officer. Notification will be sent to the officer listed as the "Collecting Officer" on the voucher.
 - 1. All property and evidence obtained by employees into Department control will be recorded on evidence vouchers or property vouchers and booked as soon as possible, or before the officer ends the tour of duty. Under exceptional circumstances an officer may, with permission of his supervisor or the Service Division Sergeant, store evidence or property in a temporary storage locker without completing a voucher. Under NO circumstances will the evidence or property be stored for more than 24-hours without being booked.
 - 2. When circumstances require the control of property or evidence, including vehicles, be released to a third person by an officer in the field, an APD-6E form will be filled out, signed by the person releasing the property or evidence, and signed by the person accepting the property or evidence. The officer in charge of the release will put their name, ID number, and incident number on the form. This form will be scanned into Ileads under the IR number.
 - a) If the property released consists of a firearm seized pursuant to CCP 18.191, the officer must run a CCH on the third person before releasing the firearm to make sure the third party can legally possess it. The officer must also have the third party sign an APD-196Q form which must be attached to the report in Ileads.
 - 3. The officer will prepare a report detailing the circumstances by which the property or evidence came into the Department's possession and describe each item of property or evidence obtained. The officer will enter the property or evidence on the property voucher.
- C. When several suitcases, boxes or other containers are booked, a voucher will be attached to each item.
 - 1. Any item that has monetary value, or evidentiary value, will be removed from purses, suitcases, wallets, toolboxes, etc., and itemized. When dealing with multiple pieces of evidence or property, each item having

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monetary or evidentiary value will have a separate entry on a property voucher. Routine personal items, such as cigarettes, candy, clothing, paper notes, etc., do not need to be counted.

2. Keys and key-rings will have a separate entry on the voucher with a complete description.
 - D. All guns, money, narcotics, jewelry, audiotapes, videotapes, known blood samples obtained from SANE kits, and urine will each be booked separately with separate vouchers from other evidence under the same case.
 - E. Evidence and property will be booked into the smallest possible bag, sack or envelope and placed in the smallest appropriate temporary locker.
- II. Prisoner's Personal Property:
- A. When more than one person is arrested from a vehicle, each individual's property will be fully described and booked under the individual owner's name rather than the vehicle owner's name.
 1. Leads will sometimes self-generate a miscellaneous name, a name from one of the subjects in the report, or will place "APD" into the Owner's field. Therefore, officers and detectives or investigators must ensure the correct entry is displayed in the "Owner's Field".
 - B. Prisoners arrested with large amounts of personal property in their possession may have the property items booked as personal property at the Police Department. A copy of the property voucher will be faxed to the appropriate jail by the booking officer to be added to the prisoner's property.

III. Money:

- A. Money booked as evidence shall be placed in the narcotics bin. It will be booked in with a separate voucher attached listing the money by denomination if the amount does not exceed \$10,000.00. All money will be booked separately, counted by denomination, and totaled, even if it is only one cent.
- B. Money in excess of \$500.00 booked as either property or evidence must be counted and booked in the presence of another officer and these facts stated in the report. This money will be booked in the narcotics evidence bin.
- C. If the amount exceeds \$10,000.00, it will be deposited directly with an evidence officer. If an evidence officer is not on duty, one will be called out to receive the money.
- D. Coin collections. The booking officer will identify each coin in the recovered coins by year, date, and face value (e.g., 1 – 1919 Indian Head penny – one cent).

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IV. Hazardous, Flammable, or Bulky Items:

- A. All gasoline cans or containers with flammable fumes, automobile batteries, corrosive materials or other items with a strong odor will be booked and placed in the flammable storage room located at 110 S. Grant.
- B. Explosives or detonation devices will be immediately turned over to the bomb technician for storage or disposal. They will not be brought to the police building.
- C. Fireworks will be photographed and placed in the flammable storage room located at 110 S. Grant.
- D. All unknown liquid will be placed in the flammable storage building until they are identified.
- E. Items too large to be placed in the property room will be stored in the bicycle rack. Items too large to be stored in the bike rack will be received directly by evidence officers. If an evidence officer is not on duty, one will be called out to receive the items.
- F. In these cases a memo stating the storage location will be left in the property officer's mailbox located in the property booking room.

V. Bloody Clothing:

- A. To prevent contamination, bloody clothing from more than one suspect or victim will not be placed in the same container or stored in the same storage bin. Bloody items of evidence will not be placed in the same container or bin with the victim or suspect's clothing. These items should be placed in paper bags rather than plastic bags.
- B. Disposable gloves must be changed between each bloody item collected to prevent cross contamination of DNA evidence.
- C. Wet bloody clothing items should be placed in the clothes drying cabinet in the property booking room. Craft paper will be used as a liner underneath the drying articles. The original paper bag the articles were stored in will be left in the drying cabinet. A completed voucher will be placed in the cabinet with the clothing items. If the cabinet is full, items will be placed in a designated "BIOHAZARD" locker. After the articles are fully dried, the Property Officer will repackage the articles including the original paper bag and craft paper liner.
- D. A spray bottle containing a 10% solution of bleach, or an approved substitute as issued by the Property Unit, will be kept in the Property booking room. This solution will be used to clean the table surfaces prior to placing DNA evidence on them. This is done to prevent cross contamination. The table surfaces must be cleaned again by the booking officer after booking the evidence.

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VI. Firearms:

- A. Firearms will not be booked with ammunition in the cylinder, magazine, or barrel. Twine will be threaded through the chamber area of the firearm in such a manner as to make chambering or discharging of ammunition impossible. If a shell is lodged in the gun and cannot be safely removed, a supervisor will be notified. At no time will an object be placed into the barrel of a firearm in an attempt to dislodge a shell.
- B. The officer will attach a card to the firearm stating "CAUTION" and describe the problem in detail. The firearm will be placed in the evidence bin designated for unsafe firearms. Once a firearm is placed in the unsafe firearms bin, the only person authorized to remove it will be the property officer assigned to store firearms, or an armorer. The designated property officer, or armorer will not generally be called out during off-duty hours or weekends unless a supervisor determines for safety concerns that an immediate response is warranted. Incidents not requiring an immediate response will be handled during on-duty hours. Property officers will not receive the firearm until it has been rendered safe.
- C. If the designated property officer, or armorer cannot safely remove the lodged shell, the firearm will be discharged utilizing the unloading tube. When discharging the firearm, eye and ear protection, including gloves, will be worn. Prior to discharging the firearm, the Service Division Commander will be notified. If the overall condition of the firearm makes discharging it unsafe, the firearm will be taken to the firing range and fired remotely. The designated property officer, or armorer will be responsible for the transportation of the firearm to and from the firing range and the rebooking of it. While in their possession, the designated property officer, or armorer should take reasonable precautions to insure potential evidence on the firearm remains intact. The evidence voucher will be completed to insure the chain of evidence is documented. All handguns will be booked in a paper bag after they have been rendered safe.
- D. All firearms will be booked separately, with a separate evidence voucher listing the brand name, caliber, semi-automatic or revolver, and serial number.
- E. Ammunition, and magazines or clips, will be booked separate from the firearm. The firearm will be booked separately from other items. **DO NOT ENGRAVE THE FIREARM!**

VII. Narcotics:

- A. All narcotics will be booked in a plastic sleeve unless size requires a larger container. These sleeves are for narcotics, money, checks, or small items. A regular voucher will be attached to the plastic sleeve. Only narcotics (not narcotics paraphernalia) will be booked in the narcotics evidence bin since this evidence is shipped to DPS for chemical analysis.

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1. If a drug is in a container other than a plastic baggie, bindle, or foil, the drug will be booked separate from the container.
 2. Bricked marijuana or cocaine may be left in the original packaging. However, it will be booked separate from containers such as duffel bags, suitcases, etc.
- B. All baggies of marijuana will be properly identified by the booking officer who will place their name and date on each baggie before placing it in the plastic sleeve.
- C. When booking any odor emitting drug other than marijuana, place the drug in a small silver can provided by the Property office. Securely seal the can with the lid provided and place the can in the narcotics and money bin. Do not open or weigh the package containing the odor emitting drug. Narcotic Unit personnel will weigh and package the drug for shipment for analysis.
- D. Different types of drugs will be booked separate of each other. For example, do not book marijuana, pills, methamphetamine, and cocaine on the same voucher.
- E. When booking pills, each type and/or kind of pill must have its own entry on the voucher. Markings on the pills must be included on the voucher and noted by enclosing them in parenthesis. If there are markings on both sides of the pills, then each side needs to be noted by enclosing them in quotation marks (e.g., 4 – white pills “M357” as 1st entry; 12 – white pills “DAN” “5658” as 2nd entry).
- F. Narcotics paraphernalia will be booked the same as other non-narcotic evidence in a regular evidence bin with a regular voucher attached.
- G. If booking an item that is known to have biological or hazardous material on it, or it came from a person’s orifice, the booking officer is required to provide the information on the voucher and attach a bio-hazard sticker to the bag.

VIII. Cellular Phones and Tablets:

- A. If a collected phone or tablet doesn’t need to be examined immediately, power off the device and book it in the same manner as any other evidence. Officers will notate on the voucher if the collected device needs to be processed for fingerprints and then place it in a regular evidence bin by the end of their shift.
- B. Officers will obtain approval from a supervisor or detective if exigent circumstances dictate that a collected device needs to be examined immediately. Officers will not power off the device. The device will be placed into a paper or plastic bag and then wrapped with aluminum foil three times ensuring the foil covers the entire device including the ends. Caution should be taken to not let the foil make direct contact with the device. Officers should try to collect the power cord and obtain a pass-code from the device’s owner, if there is one, and notify the Media Lab or Narcotics Unit personnel that the collected device requires

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immediate examination and its power is still on.

IX. Identifying Information:

- A. Driver license, credit/debit cards, social security cards and all other identifying documents must be listed on the voucher with the name and unique number, or account number, listed on the evidentiary item. Each of these items will have a separate entry on the property voucher.

X. Perishable items will be photographed and returned to the owner immediately if at all possible. If perishable items cannot be returned to their owner, they will be destroyed and not booked as evidence.

XI. Meal tickets in embezzlement and fraud cases at restaurants will not be booked in as evidence. The ticket needs to be filed in the IR shuck and detectives will transport it to the appropriate prosecutor's office if a charge is filed.

XII. Shoplifting Cases:

- A. In agreement with the Potter County Attorney's Office and Randall County Criminal District Attorney's Office, the following procedure will apply in theft cases of under \$200.00:

1. If the store where the offender was apprehended has a camera available, a photograph of the items stolen will be taken in lieu of the merchandise being brought to the police station and booked in as evidence.
2. The picture or pictures will need to accurately depict the items taken and be such that they show the overall item(s) and the brand name(s) if not visible in the overall photo.
3. The person apprehending the offender will need to be present at the time the photograph is taken and after the picture develops. Attach the proper identification sticker to the back of the picture and fill it out.
4. If the store does not have facilities for doing this, the arresting officer will photograph the item(s), with a digital camera at the business.
5. The detective or investigator will take the photographs to the appropriate prosecuting attorney's office when the case is filed.

- B. The store employee's report will need to include the detailed description and value of each item taken, as well as it being listed on the back of the photograph.

XIII. Domestic Animals:

- A. Contact Animal Welfare and Management to pick up the animal. The Animal Welfare and Management officer will complete an incident report in their agency's system. The officer assigned the case will document in the narrative of

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the APD report what actions were taken to secure the animal.

XIV. Syringes:

- A. Due to the inherent hazard of handling a syringe, typically officers will not seize a syringe as evidence, including narcotics paraphernalia cases. The DPS lab will generally not test a syringe that has liquid in it without a letter from a prosecutor. The DPS lab reports the weight of a drug in a syringe as only a trace amount; therefore prosecution for possession is not feasible. Even if a syringe has liquid in the syringe, generally the syringe will not be seized or booked as evidence, and the liquid inside will not be transferred to a vial for laboratory analysis. A photograph of the syringe will suffice as evidence. Officers should carry one or two sharps tubes as part of their equipment so the sharps tube will be available in the field.
- B. If a syringe is found in a defendant's home or automobile and has potential evidentiary value, the officer will photograph the syringe in place and leave the syringe in the defendant's automobile or home.
- C. If the syringe is found property not associated with a defendant and needs to be disposed of to protect the public, the officer will place the syringe in a sharps tube. The sharps tube will be placed in a specified sharps disposal container in the booking room. No report number is necessary. The Evidence and Property technicians will dispose of the tube and syringe.
- D. If the syringe is discovered in a public place as part of a case investigation and has potential evidentiary value but cannot be left in the defendant's automobile or home, the officer will photograph the syringe and place the syringe in a sharps tube without a report number on the tube. The sharps tube will be placed in a specified sharps disposal container in the booking room. The Evidence and Property technicians will dispose of the tube and syringe. The syringe will not be kept as evidence.
- E. If an investigating officer believes that the evidentiary value of a syringe or its contents will be critical to a particular case, the officer may seize the syringe and book it as evidence. The syringe will be placed in a sharps tube with an IR number written on the tube. Only one syringe will be placed in a sharps tube. Each sharps tube requires a separate property voucher. If the syringe contains liquid that should be analyzed by a laboratory, the detective or investigator assigned to the case will first obtain a letter from a prosecutor requesting the analysis before the liquid in the syringe is transferred to a vial for shipping to the lab. If the syringe is empty and is simply paraphernalia, the syringe and tube will be booked in a regular evidence bin. If the syringe contains liquid contents that may be sent to the lab, the syringe and tube will be booked in the narcotics evidence bin.

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XV. Electronic/Digital Format Evidentiary Items:

Electronic or digital evidence specific to body worn camera videos or in-car camera videos will be stored and accounted for by Media Lab personnel. This type of evidence, once downloaded, is secured on the Department's servers. When the server has enough data to fill a Blu-ray disc, the information is transferred to a Blu-Ray disc as an archive. That disc is then secured in the Media Lab and is only accessible by Media Lab personnel.

A. Any other types of digital video/audio media that is not related to child pornography can be labeled with an incident number and placed in the Media Lab's door. A voucher is not required for these items.

B. Any digital video/audio media that is related to child pornography should be booked as evidence. A voucher is required for these items.

XVI. Release and Disposition of Evidence and Property:

- A. If an officer takes possession of property allegedly stolen, it must be held subject of the disposition of the court trying the case. The officer will take possession of the property and book it in as evidence. The detective or investigator assigned the case will complete an inventory form APD-94 and file it in the court with jurisdiction. If the case has been refused or for other reasons there will be no trial pending, the inventory form will be filed in Municipal Court.
- B. Weapons seized from a person believed to be mentally ill must be released according to Procedure 2.17.
- C. When a weapon falls under CCP Article 18.19 Disposition of Seized Weapons, the assigned detective or investigator must prepare and deliver to a magistrate a written inventory of each weapon seized.
 - 1. A court order will be required before the release of a weapon, regardless of prosecution or conviction.
 - 2. When the detective or investigator is ready to release the weapon, they must include the disposition of the case, the County and the Court the case was filed in, if any other case may be pending reference the case (e.g., a dismissed drug case with a paraphernalia case pending in Municipal Court), and they must also place "R2OC" in the Recommended Disposition Field along with the date and their name on page-2 of the Property/Evidence Management Screen.
 - 3. The detective or investigator will ensure that any property set to be released to an owner will have the correct owner's information in the "Owner" field of the property screen.
- D. The assigned detective or investigator must authorize the release or destruction of

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any item. This can be done through the Property Evidence Management screen which can be accessed by going to "Modules, Evidence and then Management". If the item(s) ready for release or destruction were booked with errors, the item(s) WILL NOT be released or destroyed until the booking officer has fixed the error(s). The assigned detective or investigator must refer to page-2 of the "Property/Evidence Management" screen and look at the "Voucher status". If it has "Rejc" in the field then it CANNOT be released until corrected. There are two methods used for authorizing the release or destruction of an item(s):

1. When an individual item(s) are being authorized for release or destruction, the detective or investigator can authorize its release or destruction through the Property/Evidence Management screen.
 - a) On page-2 of the item(s) property screen, the detective or investigator will find the "Disposition Information". Here, the detective or investigator can input their recommended disposition (e.g., "eligible to be released", "eligible to be released – court order required", "eligible to be destroyed – court order required", or "eligible to be destroyed – no court order required"). When entering the disposition, the detective or investigator will list the date the disposition was entered along with the detective or investigator's name.
 - b) If the recommended disposition is "Eligible to be Released", the detective or investigator must enter the owner information if it differs from the one originally entered when the item(s) were booked. This will ensure the item(s) are released to the correct person. The detective or investigator will document in "notes" on page-2 as to whether or not the owner has been notified and the date of the notification.
 - c) If the item(s) are being authorized for destruction, the detective or investigator will indicate whether or not a court order is required in the disposition. If a court order is required, the following information will be placed in "Notes" on page-2 of the Property Evidence Management screen:
 - i. Disposition of the case, the County and Court the case was filed in, and if any other case may be pending reference the case (e.g., a dismissed drug case with a paraphernalia case pending in Municipal Court).
 - d) If the item(s) are being authorized for release and a court order is required before release, the detective or investigator will indicate whether or not a court order is required in the disposition. If a court order is required, the following information will be placed in

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“Notes” on page-2 of the Property Evidence Management screen:

- i. Disposition of the case, the County and Court the case was filed in, and if any other case may be pending reference the case (e.g., a dismissed drug case with a paraphernalia case pending in Municipal Court).
2. When multiple items from the same case are being authorized for release or destruction, the detective or investigator can make these changes through Quick Property Update.
 - a) A list of all of the item(s) booked will populate the top half of the Quick Property Update screen.
 - b) The detective or investigator may choose which item(s) to work with by checking the box to the left of the item.
 - c) Once the item(s) have been chosen, the detective or investigator may make the “Disposition Recommendation”, update the owner information if needed, and then move the items to the lower portion of the screen by clicking on the single black arrow icon.
 - d) Once this has been done, the detective or investigator may click “Update and Exit” if they are finished, “Update and Clear” if they need to work with a different case, or “Update and Continue” if they need to make additional “Disposition Recommendations” in that particular case.
 - e) The detective or investigator will need to make a “Disposition Recommendation” for each group of items that they are making “Eligible to be Released” for each person they are releasing items to. Only performing this once will either show all items belonging to one individual, or belonging to no one.
 - f) Once all of the recommendations needed have been made, the detective or investigator needs to create a short supplement indicating the following:
 - i. The owner’s information, if not located in the property screen;
 - ii. Whether or not the detective or investigator has notified the owner along with the date of notification; and
 - iii. If the item(s) are being authorized for destruction, the disposition of the case, the County and Court the case was filed in, and if any other case may be pending reference the case (e.g., a dismissed drug case with a paraphernalia case

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pending in Municipal Court).

- g) The detective or investigator will ensure that any property set to be released to an owner will have the owner's information in the "owner" box of the property screen.

E. Evidence Needed in Court is checked out as Follows:

1. The requesting officer will, at least 24-hours prior to the court date, inform the evidence officer of the IR# from which they need the evidence.
2. The evidence officer will retrieve the evidence needed and will conduct an inventory with the requesting officer.
3. Once the evidence has been accounted for, the evidence officer will make the necessary updates to the item or item's chain of custody showing they are "Out to Court", who released the items, who took custody of the items, and what Court the items are going to in the Ileads system. The property officer will provide the officer with a sufficient number of APD-166 forms.
4. Upon returning the evidence from Court, the pre-described procedure will be repeated.
5. If a Court keeps items of evidence, the releasing officer and the attorney accepting the evidence must sign an APD-166 form and, the card must be returned to the evidence officer who will make the proper notation in Ileads.
6. The APD-166 will be routed to the Service Division records section where it will be scanned and attached to the Incident Record in Ileads.

XVII. Field Release of Property:

- A. There will be times when evidence and property may be released in the field. For felony cases, authority to field release a piece of property must be approved by an on-duty field supervisor or an on-scene investigating detective. For misdemeanor cases, the assigned field officer will determine whether property or evidence may be released at the scene. In each case photographs will be taken of the property before release and all pertinent information relating to the property will be documented in an incident report. A Property Release form (APD-6E) will be completed and signed by the person receiving the property. The item(s) may then be returned to their rightful owner. The signed property release form will be booked in the IR# to be filed box, and all photographs will be turned in by the end of the investigating officer's shift.

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XVIII. Found Property:

- A. The finder of found property may be entitled to the found property when the person who lost the property cannot be determined. When taking an initial report, the officer will ask the finder of the property if the finder desires to claim the property. The officer will document the finder's desire in the report.
- B. Every effort will be made to determine who lost the found property. Efforts to locate the person who lost the property will be documented in the report by the officer and detective or investigator.
- C. When the detective or investigator receives a found property report, the detective or investigator will determine whether or not the finder of the property desires to claim the property.
- D. Found property must be held for 30-days. Items considered contraband are covered under other procedures and are dealt with differently.
- E. If the detective or investigator determines who lost the property, then an attempt will be made to contact that person by phone. The detective or investigator will complete the disposition recommendation of evidence and fill in the name of that person as the owner. The assigned detective or investigator will note in the notes field whether or not the owner was notified, and when.
- F. If the person who lost the property is unknown and the finder desired to claim the property, then the finder may take possession of the property 30-days after the property was booked. The detective or investigator will complete the disposition section on page-2 in Ileads. The detective or investigator will go to the Property/Evidence Management screen, fill in the name of the finder as the owner, notate whether or not the owner has been notified, and include the date of notification in the notes field on page-2. The Property/Evidence Management screen can be accessed by going to Modules, Evidence, and then Management.
- G. If the listed owner of found property does not take possession after 30-days, then the Evidence and Property Section will mail a certified letter to that person's last known address notifying them that they have 90-days to take possession.
- H. If the person who lost the property cannot be determined and the finder has not expressed a desire to claim the property, then the "notes" field on page-2 of Ileads will be marked that there is "NO CLAIM."
- I. Found property may be scheduled for auction or destruction after the notification attempts listed above have been exhausted or the detective or investigator has signed releasing the property indicating that there is "NO CLAIM" in the "notes" field.

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XIX. Shipping Evidence to a Lab:

- A. The officer responsible for investigating the case will contact the Crime Scene Investigation Unit and advise them what evidence is to be sent and the type of examination or comparison requested. A brief synopsis of the case is required for submission to the designated laboratory and will be included with the request.

XX. Handling Evidence at the Hospital:

- A. In every instance where a victim of a violent crime is taken to the hospital, every effort will be made to preserve all physical evidence taken from the victim to the extent that it does not interfere with medical treatment.
- B. One officer will be allowed in the treatment room for handling items of physical evidence taken from the victim. In most instances that will be a uniformed officer until the arrival of a detective or Crime Scene Investigation Unit technician.
- C. All items of clothing should be bagged separately. If clothing has biologic matter on it, such as blood or semen, it should be placed in a paper bag and marked with a "BIOHAZARD" sticker.
 - 1. The hospital will place the victim of a violent crime on a linen sheet. The sheet should be carefully folded to preserve any physical evidence that may have fallen onto it.
 - 2. If the victim dies, the medical staff should be asked to do nothing further to the body in order to preserve what physical evidence may remain.
 - 3. The officer may conduct an investigation and collect evidence to the extent of not interfering with the medical exam and interview of the victim.
- D. This procedure will not apply fully to a sexual assault victim. Officers should not be present during the treatment and medical interview of a sexual assault victim.
 - 1. All items of physical evidence collected from a sexual assault victim will be turned over to the custody of the investigating officer by examining medical personnel.
 - 2. Officers will exercise good judgment in carrying out the above role. To the maximum extent possible, avoid any conduct that would interfere with the treatment of the sexual assault victim.

Robert Taylor, Chief of Police

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I. Evidence and Property Disposition:

A. Evidence containing possible DNA material:

1. All Sexual Offense Evidence Collection Kits (rape kits) shall be sent for analysis to the DPS crime lab within thirty (30) days of receiving the kit, regardless of the status of the case.
2. Other cases involving the collection of biological material for possible DNA material shall be submitted for analysis when the detective or investigator has completed sufficient investigation to be able to determine the likelihood that forensic testing would lead to further evidence.
3. When a detective or investigator becomes aware that evidence needs to be submitted for analysis, the detective or investigator assigned the case will document the evidence being submitted to the DPS Crime Lab or other designated lab in a supplement. Each specific piece of evidence, and the analysis to be done, will be documented in the supplement. The detective will fill out the lab submission form. An email will be sent to (@APDPROPERTYEVIDENCE) as notification of the submission request, with submission form attached. Property will then send the requested evidence to the appropriate lab. The detective will add the request to have the evidence sent to a lab to a supplemental report. The detective will notify the appropriate County or District Attorney's office by email that the evidence was sent.
4. When CSIU receives notification back from the lab about the results of an analysis of evidence, a copy of the lab letter will be forwarded to the detective or investigator for notification of the lab findings. The detective or investigator will then submit to the appropriate attorney a copy of the lab letter.

B. When a detective or investigator becomes aware of final disposition of cases or when evidence or property is no longer needed, they must in person or by telephone make contact with the owner for release or disposal of that property listed on the evidence voucher. This contact must be made within 10-days and must be documented by supplement.

C. When the detective or investigator is unable to make contact with the owner of the property listed on an evidence voucher, they will turn it over to the Property Unit to make contact by mail. The detective or investigator will fill in the disposition section on page-2 of the "Property Management" screen in Ileads. The owner's name must be placed in the "Owner Field" on page-1.

D. Eligible to be released:

1. Any property items marked to be returned to the owner must have the correct owner associated with each piece of property on the property screen listed in the "Owner Field". All attempts to locate owners of found or recovered property will

AMARILLO POLICE DEPARTMENT

Manual: DETECTIVE DIVISION OPERATIONS
Reference: SECTION 2.07
Subject: Evidence and Property Disposition

Effective Date: November 1, 1999
Revision Number: 5 Date: 03-30-18
Page 2

be documented in a supplement to the original report.

- E. Evidence requiring court orders (APD-298) or hearing are as follows:
1. Weapons in violation of Penal Code Chapter 46.
 2. Weapons used in other offenses.
 3. Gambling paraphernalia.
 4. Criminal instruments.
 5. Obscene devices or materials.
 6. Scanning device or re-encoder.
 7. Dog fighting equipment.
 8. Property seized pursuant to a search warrant.
 9. Stolen property only when ownership is contested or disputed.
 10. Stolen property where owner is unknown (hearing needed).
 11. Evidence introduced as an exhibit at trial.
 12. Narcotics and narcotic paraphernalia (Note: These items DO NOT need a court order if the item is listed as found, is a result of a criminal informant buy, or there was no criminal case filed).
- F. The Property Unit officer is responsible for obtaining the court orders. However, the assigned detective or investigator must provide the following information in Ileads on page-2 in the "Notes" section and must also select either "Destroy No Court Order Needed" or "Destroy Court Order Required". Do not use the "Eligible to be Destroyed" code:
1. The court the case was filed in;
 2. Disposition of the case and the disposition date;
 3. The owner's full name; and
 4. The cause number.

Captain Tam Boatler, Detective Division

From: Rush, Derenda
To: "51466-62119879@requests.muckrock.com"
Subject: RE: Texas Public Information Act Request: local level SAEC policies/data (Amarillo Police Department)
Date: Friday, April 06, 2018 3:50:00 PM

Dear Vanessa Nason,

We are having to hand calculate the number of sexual assault exams we have had since 2000. As soon as the calculations are completed I will get the information to you.

Derenda Rush

Amarillo Police Department
Service Division
(806) 378-3579
apdrecords@amarillo.gov

From: 51466-62119879@requests.muckrock.com [mailto:51466-62119879@requests.muckrock.com]
Sent: Wednesday, April 04, 2018 4:01 AM
To: Rush, Derenda
Subject: RE: Texas Public Information Act Request: local level SAEC policies/data (Amarillo Police Department)

Amarillo Police Department
Texas Public Information Act Office
200 Southeast 3rd Avenue
Amarillo, TX 79101

April 4, 2018

This is a follow up to a previous request:

To Whom It May Concern:

I wanted to follow up on the following Texas Public Information Act request, copied below, and originally submitted on March 17, 2018. Please let me know when I can expect to receive a response, or if further clarification is needed.

Thanks for your help, and let me know if further clarification is needed.

Filed via MuckRock.com

E-mail (Preferred): 51466-62119879@requests.muckrock.com

Upload documents directly: https://www.muckrock.com/accounts/agency_login/amarillo-police-department-8952/local-level-saec-policiesdata-amarillo-police-department-51466/?uuid-login=df92ecf6-088e-4ecd-a71a-e13e08977ca3&email=Derenda.Rush%40amarillo.gov#agency-reply

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 51466
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request was filed by a MuckRock staff reporter. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On March 20, 2018:

The Amarillo Police Department is in receipt of your open records request. We process request in the order they are received. We will process your request as quickly as possible.

Derenda Rush
Amarillo Police Department
Service Division
(806) 378-3579
apdrecords@amarillo.gov

On March 17, 2018:

To Whom It May Concern:

Pursuant to the Texas Public Information Act, I hereby request the following records:

Any and all statistics, data, reports, audits, policies, and procedures pertaining to the following items regarding sexual assault evidence collection (SAEC) kits (also known as "rape kits") and processing:

- all standard operating procedures regarding the SAEC process
- any written policies or procedures regarding department practices on the acquisition of or handling of rape kit evidence, including protocols for its collection, testing, and delegation and transfer to all other possibly relevant locations, laboratories, or agencies
- the number of kits collected and booked into evidence from the period of January 1, 2000 through the date this request is processed
- the number of kits that have been processed by a public or private crime or forensic laboratory or equivalent processing location from the period of January 1, 2000 through the date this request is processed
- the number of unprocessed kits in any storage facilities currently under the department's jurisdiction and control, including those held by medical personnel or at external laboratory locations

- any materials regarding the status or ultimate disposition of cases in which a kit was collected. Please include all available segregable data.
- all audits involving this agency regarding the collection or backlog of SAEC kits
- all proposed alterations or yet-to-be-implemented changes to the policies and procedures regarding the collection, testing, and use of SAEC kits

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

Sincerely,

Vanessa Nason

Filed via MuckRock.com

E-mail (Preferred): 51466-62119879@requests.muckrock.com

Upload documents directly: https://www.muckrock.com/accounts/agency_login/amarillo-police-department-8952/local-level-sacc-policiesdata-amarillo-police-department-51466/?uuid-login=df92ccf6-088e-4ecd-a71a-e13e08977ca3&email=Derenda.Rush%40amarillo.gov#agency-reply

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